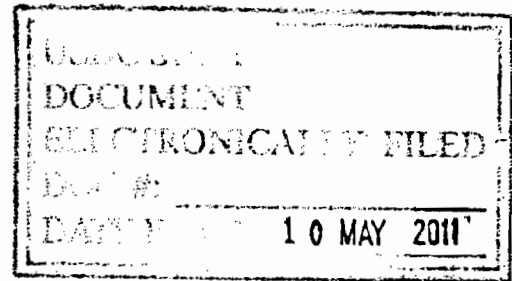


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May 10, 2011

**BY FACSIMILE**

The Honorable Laura T. Swain  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 755  
New York, New York 10007

**MEMO ENDORSED**

**Re: Lantheus Medical Imaging v. Zurich American Ins. Co.  
No. 10 Civ. 9371 (LTS) (MHD)**

Dear Judge Swain:

This firm represents the plaintiff Lantheus Medical Imaging, Inc. (Lantheus) in the above-referenced matter. I write pursuant to Rule 2.A of Your Honor's Individual Practices and Local Civil Rule 37.2 to request leave to file an unopposed motion for the issuance of letters rogatory.

Lantheus seeks to obtain testimony and documents from a third-party, Atomic Energy of Canada Limited ("AECL"). As more fully described in Lantheus' proposed motion, this information relates to the cause of, and circumstances surrounding, the shutdown of a nuclear reactor operated by AECL and located in Chalk River, Ontario, an issue highly relevant to the litigation. (See Joint Preliminary Pre-trial Statement at 22-23 (March 28, 2011).) The evidence sought exists principally, if not solely, in the institutional knowledge of AECL and therefore is not available through discovery of individuals within the jurisdiction of the United States District Court for the Southern District of New York. The proposed motion asks this Court to issue an order providing for the issuance of letters rogatory directed to a court in Ontario, Canada.

Lantheus has conferred with defendant Zurich American Insurance Company, and Zurich does not oppose Lantheus' motion.

Given the absence of any opposition, Lantheus does not believe a pre-motion conference is necessary, and respectfully requests that the Court grant leave for Lantheus to file

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the motion without a conference. Should the Court determine that a conference is necessary, we are available to appear at the Court's earliest convenience.

Respectfully,

Rukesh A. Korde / *me*

Rukesh A. Korde

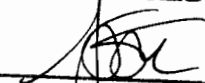
cc: Counsel for defendant

The Court does not require a pre-motion conference or other permission in advance of this type of motion practice. (See Paragraph 2B of the undersigned's Individual Practices rules).

SO ORDERED.

NEW YORK, NY

May 10, 2011

  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE